

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

V.

DOCKET NO. 15-CR-00077-JL

JUAN PICHARDO MENDEZ

MOTION TO APPOINT COUNSEL

NOW COMES Paul J. Garrity, counsel for the accused, Juan Pichardo Mendez, and moves this Court, pursuant to 18 U.S.C. § 3006A(c) and section IV, B of the Criminal Justice Act Plan of The United States District Court for the District of New Hampshire, to appoint him as CJA Counsel for further representation of the accused.

In support of this Motion the undersigned counsel states as follows:

1. On or about June 25, 2015 he was retained by the accused to represent him on the above entitled matter. At the time of being retained the undersigned counsel and the accused entered into a flat fee agreement and the accused made a partial payment towards that agreed upon fee.
2. Subsequent to that date, the accused's family has made some additional payments. Those payments equate to approximately a third of the agreed upon fee. However, the accused and his family have currently exhausted all of their resources and are unable to make further payments for the undersigned counsel's fees.
3. 18 U.S.C. § 3006A(c) and section IV, B of the Criminal Justice Act Plan of The United States District Court for the District of New Hampshire both state that "[i]f at any stage of the proceedings, the Court finds that the defendant becomes financially

unable to pay counsel who had been retained, the Court may appoint counsel to represent the defendant as the interest of justice may so dictate.”

4. The accused on November 24, 2015 filed with the Court a Financial Affidavit to support his claim of being indigent.
5. Both 18 U.S.C. § 3006A(b) and section IV, B of the Criminal Justice Act Plan of The United States District Court for the District of New Hampshire also authorize the Court to make such appointment retroactive to include any appropriate representation furnished prior to the appointment.

WHEREFORE, the undersigned counsel respectfully requests that this Court appoint him as CJA counsel for further representation of the accused and that the appointment be made retroactive to include the representation of the accused on November 24, 2015

Respectfully submitted,
Juan Pichardo Mendez,
By His Attorney,

DATE: November 25, 2015

/s/ Paul J. Garrity
Paul J. Garrity
Bar #905
14 Londonderry Road
Londonderry, NH 03053
603-434-4106

CERTIFICATE OF SERVICE

I, Paul J. Garrity, hereby certify that on this 25th day of November, 2015 a copy of the within Motion to Appoint Counsel has been e-filed to the Assistant United States Attorney, Mark Zuckerman, and all parties of record and mailed, postage prepaid, to Juan Pichardo Mendez.

/s/ Paul J. Garrity